

October 5, 2001

Subject: Clarification of the Prohibition of the Importation of all Ruminant Meat, Meat Products and Other Ruminant Protein Products from Japan due to Bovine Spongiform Encephalopathy (BSE)

To: U.S. Importers, Brokers, and Other Interested Parties

THIS LETTER REPLACES THE "BSE PROHIBITIONS FROM JAPAN" LETTER DATED SEPTEMBER 12, 2001.

On September 10, 2001, the Office International des Epizooties (OIE) received information from the Director of Animal Health Division, Ministry of Agriculture, Forestry and Fisheries, Tokyo, reporting a highly suspected case of bovine spongiform encephalopathy in Japan. Due to this reporting, the U. S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS) is placing a prohibition on the importation of ruminant meat, meat products and other ruminant products from Japan. This prohibition is effective immediately, September 10, 2001, because APHIS believes that the current situation in BSE-affected countries is a potential threat to the health and safety of U.S. livestock. Therefore, APHIS is taking emergency measures to mitigate this risk and to protect livestock, livestock producers, and industries in the United States.

Effective immediately, we are suspending the importation of edible and inedible ruminant meat, meat products, and other ruminant products that have been stored, processed, or otherwise associated with a facility located in Japan.

The prohibited edible and inedible ruminant products include but may not be limited to: meat, processed animal proteins (such as meat and bone meal (MBM), meat meal, bone meal, blood meal, protein meal, etc.), offal, tankage, processed fats and oils, ruminant glands, unprocessed ruminant fat tissue and tallow (that could be incorporated into animal feed). It also includes derivatives of processed animal protein, or any product containing such ruminant materials. Products containing any of the prohibited materials are also prohibited.

As with restrictions placed on other BSE affected countries, importations from Japan of inedible, processed, non-ruminant material (i.e., feather meal) will not be eligible for entry until APHIS can verify that these products have not been commingled or cross-contaminated with ruminant products. In making this determination the following criteria will be considered and verified by APHIS:

- All steps of processing and storage are carried out in a dedicated foreign facility.
- The foreign facility should have a cooperative service agreement with APHIS, U.S. Importers, et al.

- The facility should demonstrate that material intended for export to the United States was transported in a manner that would prevent cross-contamination with prohibited materials.
- The foreign facility should allow periodic APHIS inspection, and
- The facility should supply government certification regarding the dedicated processing facility.

Importations from Japan are affected by this action. Other BSE countries are listed in Title 9 Code of Federal Regulations (CFR), Part 94.18(a)(1) and (2), as well as on the APHIS home page at <http://www.aphis.usda.gov/NCIE/country.html>.

An interim rule concerning this action is being prepared and will be published in the Federal Register in the near future.

I ask for your immediate cooperation in discontinuing all shipments of ruminant meat, meat products, and other ruminant products that have been stored, processed, or associated in any way with products or processing plants in Japan (in addition to Europe or Oman).

I am aware that this prohibition places a burden upon you. However, APHIS' obligation to protect U.S. agriculture is paramount. The steps we are taking are absolutely necessary to meet that obligation and prevent BSE from occurring in U.S. Livestock.

Thank you for your cooperation and support.

/s/Andrea M. Morgan [for]

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